

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA

PRETRIAL DOCKET

HONORABLE INGE P. JOHNSON, UNITED STATES DISTRICT JUDGE, PRESIDING

The cases shown on the attached docket are set for pretrial hearing pursuant to Rule 16 of the Federal Rules of Civil Procedure. A conference-type hearing will be held in chambers in the Federal Courthouse in the city specified and at the time indicated.

The hearings will be addressed to consideration of the matters provided in Rule 16, including the limitation of issues requiring trial, rulings on pending motions, and settlement possibilities.

Counsel attending the conference are expected to be well informed about the factual and legal issues of the cases and to have authority to enter appropriate stipulations and participate in settlement discussions. Counsel appearing at the conference may be required to proceed at trial notwithstanding the naming of others as designated trial counsel.

Promptly upon receipt of this notice, plaintiff's counsel is to initiate discussions with other counsel aimed at ascertaining which basic facts are not really in dispute, at clarifying the parties' contentions (for example, just what is denied under a "general denial") and at negotiating workable procedures and deadlines for remaining discovery matters. At least four (4) days in advance of the conference, plaintiff's counsel is to submit to the Judge's Office (not to the Clerk's Office) a proposed Pretrial Order, furnishing other counsel with a copy. It is anticipated that in most cases the proposed order, with only minor insertions and changes, could be adopted by the Court and signed at the close of the hearing.

A sample of a proposed Pretrial Order is attached at the end of this docket to illustrate the format preferred by the Court and the substance of an order in a typical case. Each order must, of course, be tailored to fit the circumstances of the individual case. For example, in many cases it may be preferable to call for information concerning expert witnesses by successive steps rather than mutual exchange. Pretrial orders in non-jury cases should typically establish a procedure and schedule for preparation of a detailed statement of agreed facts so that evidence at trial can be limited to the particular facts, if any, in actual dispute. (A provision establishing such a procedure is shown on the sample order.)

NOTE: The pretrial conference is also used by this court as a mandatory settlement conference. **As such, all attorneys attending the conference must arrive prepared to make and/or receive settlement offers, as appropriate, and must also have their clients available by telephone during the time scheduled by the court for the pretrial conference.**